

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 23-cv-647 (KMM/DLM)

Plaintiff,

v.

ORDER

1,042 CARTONS OF COUNTERFEIT 3M
N95 RESPIRATOR MASK,

Defendant.

Based on the motion of the United States for an order: (1) granting default judgment against all known and unknown persons and entities who failed to file claim to the defendant property and answer to the Complaint For Forfeiture *In Rem* and (2) for a Final Order of Forfeiture as to 1,042 Cartons of Counterfeit 3M N95 Respirator Masks (“Defendant Property”); and based on all the files and records in this action, the Court finds as follows:

1. The United States filed a Verified Complaint for Forfeiture *In Rem* on March 16, 2023, alleging that the Defendant Property is subject to forfeiture pursuant to 19 U.S.C. §§ 1526(e) and 1595a(c)(2)(C);

2. The Clerk of Court issued Warrant of Arrest and Notice *In Rem* on March 20, 2023 directing the U.S. Customs and Borders Protection to arrest the Defendant Property and to serve all persons and entities with a potential interest in the Defendant Property with

a copy of the Complaint for Forfeiture *In Rem* and the Warrant of Arrest and Notice *In Rem*. ECF No. 5;

3. The United States sent a Notice of Judicial Forfeiture Proceedings, the Verified Complaint for Forfeiture *In Rem*, and the Warrant of Arrest and Notice *In Rem* by certified mail to all known individual entities on March 24, 2019;

4. Pursuant to Rule G(4)(a)(iv)(C), the U.S. Attorney's Office posted a notice of forfeiture on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on March 21, 2023. ECF No. 7;

5. No claims or answers have been filed, and the time for filing a claim and answer has expired under Rule G(5), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The United States' motion for a default judgment and final order of forfeiture [ECF No. 10] is GRANTED;

2. Default judgment is entered against all known and unknown persons and entities having an interest in the Defendant Property for failure to file a claim to the Defendant Property and an answer to the Verified Complaint for Forfeiture *In Rem* as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: October 31, 2023

s/Katherine Menendez

Katherine Menendez

United States District Judge